

Message Text

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17

ACTION EB-07

INFO OCT-01 EUR-12 EA-06 ISO-00 L-03 CAB-02 CIAE-00

COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 SS-15

SP-02 NSC-05 H-02 /062 W
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R 150210Z JUL 75

FM AMCONSUL HONG KONG

TO SECSTATE WASHDC 5887

INFO AMEMBASSY LONDON

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E.O. 11652: NA

TAGS: EAIR, HK, UK, US, VS

SUBJECT: PAN AM CLAIM TO AIR VIETNAM 707

REF: A) STATE 120166, B) HONG KONG 5556

1. CLAIMS OF MOST CREDITORS AGAINST AIR VIETNAM (AVN) WERE SETTLED JULY 11 WHEN SUPREME COURT REGISTRAR USED LOCAL ASSETS OF AVN TO MAKE PAYMENTS. CLAIMS NOW TALLING ABOUT US 1.2 MILLION DOLLARS BY PAN AM AGAINST AVN SHOULD BE CONSIDERED BY THE COURT BY JULY 16 OR 17.

2. PART OF PAN AM'S CLAIM CONCERNS BOEING 707 (REFTEL B) MILDEWING AT KAITAK AIRPORT. PAN AM IS CLAIMING OWNERSHIP OF THE PLANE FOR DEFAULT OF PAYMENTS UNDER TERMS OF THE SALE MORTGAGE. PRGRSV HAS NOT APPEARED IN COURT TO DISPUTE PAN AM'S CLAIM, NOR DOES IT SEEM LIKELY TO IN THE NEAR FUTURE. PAM IS THEREFORE, CANNOT UNDERSTAND WHY IT SHOULD NOT BE RECOGNIZED AS LEGAL OWNER BY COURT AND HKG. NEVERTHELESS PAN AM IS CONCERNED LEST COURT, AS A RESULT OF PLEA FROM CROWN COUNSEL, CONTINUE TO DEFER A DECISION INDEFINATELY UNTIL SUCH TIME AS VN AUTHORITIES MIGHT BE PREPARED TO ENTER A CLAIM.

3. INFORMAL DISCUSSION WITH HKG POLITICAL ADVISOR(DRACE-
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FRANCIS) INDICATE THEY WOULD LIKE TO DISPOSE OF THE AIRPLANE

ISSUE AS RAPIDLY AS POSSIBLE ONE WAY OR ANOTHER. AT THE SAME TIME, IT WAS ADMITTED THAT IT IS POSSIBLE UK AUTHORITIES WHO DESIRE ESTABLISHING GOOD RELATIONS WITH THE PRG MIGHT TAKE THE MATTER OUT OF HKG'S HANDS.

4. IF, AS RESULT OF COURT ACTIONS, PLANE IS SOLD AT AUCTION TO SETTLE AVN DEBTS OR PAN AM IS AWARDED THE PLANE AND ALLOWED TO REMOVE OR OTHERWISE DISPOSE OF IT, PAN AM WILL BE SATISFIED.

5. IF COURT JUDGEMENT IS NOT FORTHCOMING IN A REASONABLE TIME AND IT APPEARS THAT POLITICAL PRESSURE IS LEADING TO AN INTERMINABLE DELAY OR AN UNSATISFACTORY JUDGEMENT, PAN AM WILL ASK FOR USG HELP IN COUNTERING SUCH PRESSURES.

6. ACTION REQUESTED: REQUEST GUIDENCE FOR POSSIBILITY OUTLINED IN 5 ABOVE.
CROSS

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Message Attributes

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